

REMARKS

No claim is amended in this response. Claims 190-197, 199-208, 220-238 and 247-278 are in the application. Applicants thank the Examiner for accepting the Terminal Disclaimer filed 21 July 2005. Applicants note the Examiner's comments about the need to disclaim U.S. Patent Nos. 6,716,274 and 6,673,136. In this regard, Applicants have enclosed with this letter a Terminal Disclaimer based on these patents to obviate any double patenting rejection.

Applicants thank the Examiner for the withdrawal of any rejection under 35 U.S.C. §102(e) over the prior art. Applicants further thank the Examiner for withdrawing the rejections under 35 U.S.C. §103(a). Regarding paragraphs 4-12, Applicants assert that the Terminal Disclaimer filed with this paper is adequate in overcoming any double patenting rejection based on the non-statutory double patenting rejection based on the judicially created doctrine.

Applicants thank the Examiner for the indication that claims 247-254 and 271-278 are allowed.

CONCLUSION

Applicants assert that all claims the application are allowable. Applicants now respectfully request the Examiner to pass these claims to allowance.

Respectfully submitted,

31 Oct 2005  
Date

Mark DiPietro  
Mark DiPietro  
Reg. No. 28,707  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
Telephone: (612) 371-5375  
E-mail: mdipietro@merchant-gould.com

**23552**

PATENT TRADEMARK OFFICE

K:\clients\00\00758\1100-1199\1149USC1\P-Amendment and Response2.doc